

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

VERTO MEDICAL SOLUTIONS, LLC, et al.,)
Plaintiffs,)
Case No. 4:19-cv-01532
v.)
ALLIED WORLD SPECIALTY INS. CO.,)
Defendant.)

DEFENDANT'S MOTION TO DISMISS

Defendant Allied World Specialty Insurance Company (“Allied World”), pursuant to Fed. R. Civ. P. 12(b)(6) and Local Rule 7-4.01, moves to dismiss Plaintiffs’ claims herein for the reasons set forth in its accompanying Memorandum of Law.

WHEREFORE, Defendant Allied World Specialty Insurance Company respectfully moves the court to dismiss Plaintiffs' claims herein for failure to state a claim, and for any and all such further relief as the Court deems just and proper.

Respectfully submitted,

BAKER STERCHI COWDEN & RICE, LLC

/s/ Angela M. Higgins
Angela M. Higgins MO #52159
2400 Pershing Road, Suite 500
Kansas City, MO 64108
Telephone: (816) 471-2121
Facsimile: (816) 472-0288
higgins@bscr-law.com

and

Martha Charepoo MO #55641
100 N. Broadway, 21st Floor
St. Louis, Missouri 63102
T: (314) 345-5000
F: (314) 345-5055
mcharepoo@bscr-law.com

**ATTORNEYS FOR DEFENDANT
ALLIED WORLD SPECIALTY INSURANCE
COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of June, 2019, a copy of the foregoing was served by filing the same with the Clerk of Court using the CM/ECF system, which will give notice of the filing to the following counsel of record:

Morry S. Cole
GRAY, RITTER & GRAHAM, P.C.
701 Market Street, Suite 800
St. Louis, MO 63101-1826
ATTORNEY FOR PLAINTIFFS

/s/ Angela M. Higgins